

**STATE OF CALIFORNIA
DEPARTMENT OF INSURANCE
45 Fremont Street 21st Floor
San Francisco, CA 94105**

**SECOND 15 DAY NOTICE OF MODIFICATIONS TO TEXT
OF PROPOSED REGULATIONS**

PAY-DRIVE (USAGE BASED AUTO INSURANCE)

File No. REG-2008-00020

July 31, 2009

On September 5, 2008, Insurance Commissioner Steve Poizner issued a Notice of Proposed Regulatory Action to adopt regulations amending California Code of Regulations (CCR), Title 10, Chapter 5, Subchapter 4.7, Article 3, Section 2632.5. The Department held a public hearing on October 20, 2008, and received written and oral public comments in response to the Notice. On June 24, 2009, a 15 Day Notice of Modifications to Text was mailed to all interested parties. In response to comments received regarding that Notice, the Department made further changes to the regulation text and is now making those changes available for an additional 15 day public comment period.

PUBLIC COMMENT INVITED

The changes now proposed to Section 2632.5 are shown in the attached Proposed Amended Regulation Text. Pursuant to the provisions of California Government Code Section 11346.8(c), the Commissioner is soliciting written public comments on these changes only. Comments submitted on unchanged portions will not be considered. By appointment with the contact person listed below, the proposed changes may be inspected between 9:00 a.m. and 4:00 p.m., Monday through Friday at the Department's offices at 45 Fremont Street 21st Floor San Francisco California 94105.

SUBMISSION OF WRITTEN COMMENTS BY E-MAIL OR FACSIMILE

The Commissioner will accept written comments transmitted by e-mail text or attachment provided they are sent to the following e-mail address:

PubComments.2008-020@insurance.ca.gov

E-mail attachments may be submitted in the following electronic formats: Adobe Acrobat (PDF), MS Word (DOC). E-mail attachments submitted in other formats may be rejected if the Department is unable to readily open, read and fully access the attachment with no difficulty. E-mail is the Commissioner's preferred method for submitting written comments. However, the Commissioner will also accept written comments received by facsimile if directed to the attention of Daniel Goodell at the following fax number: (415) 904-5490. **Do not send comments by both email and facsimile. Comments sent to other e-mail addresses or other facsimile numbers**

will not be accepted. Comments sent by e-mail or facsimile must be received no later than 5:00 p.m. on Monday, August 17, 2009.

SUBMISSION OF WRITTEN COMMENTS ON PAPER

Written comments on the changes to the proposed regulations may be delivered to the contact person at the address listed below. Written comments delivered to the contact person must be received by the contact person no later than **5:00 p.m. on Monday, August 17, 2009.** Any written materials received after that time will not be considered.

CONTACT PERSON

All written comments submitted in response to this Notice and all general or substantive questions regarding this Notice should be directed to the following contact person:

Daniel M. Goodell, Senior Staff Counsel
California Department of Insurance
45 Fremont Street 21st Floor
San Francisco, California 94105
(415) 538-4191

AUTOMATIC MAILING

A copy of this Notice, together with the revised text of the proposed regulations, will automatically be sent to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received during the public comment period, all persons who requested copies of information regarding the regulations, and all persons who requested notification of the availability of such changes.